

Hearing Date: May 2, 2017 at 10:00 a.m.

David S. Rosner (DRosner@kasowitz.com)
Adam L. Shiff (AShiff@kasowitz.com)
Shai Schmidt (SSchmidt@kasowitz.com)
KASOWITZ BENSON TORRES LLP
1633 Broadway
New York, New York 10019
Telephone: (212) 506-1700
Facsimile: (212) 506-1800

Attorneys for The Renco Group, Inc.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----	X	
	:	
In re:	:	Chapter 7
	:	
MAGNESIUM CORPORATION OF AMERICA, <i>et al.</i> ,	:	Case No. 01-14312 (MKV)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----	X	

**RESERVATION OF RIGHTS OF THE RENCO GROUP, INC.
REGARDING FIFTH APPLICATION OF CHAPTER 7 TRUSTEE FOR
INTERIM AWARD OF COMMISSIONS AND REIMBURSEMENT OF EXPENSES**

The Renco Group, Inc. ("Renco") hereby submits this Reservation of Rights in connection with the Fifth Application of the Chapter 7 Trustee (the "Trustee"), for an Interim Award of Commissions and Reimbursement of Expenses [Docket No. 792] (the "Interim Commission Application"), and in support thereof respectfully states as follows:

1. Renco holds 100% of the ownership interests in debtor Renco Metals, Inc. ("Renco Metals"), which in turn owns 100% of debtor Magnesium Corporation of America ("MagCorp," and together with Renco Metals, the "Debtors").

2. As Renco Metals' sole shareholder, which holds an economic interest in the liquidation of the Debtors' assets, Renco is acutely aware of the need to preserve the estates' resources and prevent the incurrence of unnecessary legal fees. As such, Renco has decided not to contest the commissions and expenses requested in the Interim Commission Application at this juncture. However, given that an order approving the Interim Commission Application – to the extent the Court enters such an order – will be subject to further review, reexamination and adjustment in making a final allowance, Renco reserves its right to object to the final allowance of the Trustee's commissions and expenses on any basis. 11 U.S.C. 330(a)(5) (“if the amount of such interim compensation [under section 331] exceeds the amount of compensation awarded under this section, [the court] may order the return of the excess to the estate”); 3 COLLIER ON BANKRUPTCY ¶ 331.04 (16th ed. 2017) (“Any amounts that were awarded as interim compensation are subject to reconsideration at any time prior to the final award, for any reason.”).

WHEREFORE, for the reasons set forth herein, Renco reserves its right to object to the allowance of the Trustee's commissions and expenses on a final basis, and seek any other and further relief as the Court may deem just and proper.

Dated: April 28, 2017
New York, New York

KASOWITZ BENSON TORRES LLP

By: /s/ David S. Rosner

David S. Rosner

Adam L. Shiff

Shai Schmidt

1633 Broadway

New York, New York 10019

Telephone: (212) 506-1700

Facsimile: (212) 506-1800

Attorneys for The Renco Group, Inc.